

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT WARD GARRISON,

Plaintiff,

v.

DOUG WADDINGTON, *et al.*,

Defendants.

Case No. C05-5487 RJB/KLS

SECOND ORDER GRANTING
PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO
RESPOND TO DEFENDANTS'
MOTIONS FOR SUMMARY
JUDGMENT

This civil rights action has been referred to United States Magistrate Judge Karen L. Strombom pursuant to Title 28 U.S.C. § 636(b)(1)(B) and Local MJR 3 and 4. Before the Court is Plaintiff's notice of unavailability (Dkt. # 51), in which he advises that he will have surgery performed on his hand which will limit his ability to write a response to the defendants' motion for summary judgment. He asks that the Court take this into consideration when noting the defendants' motion for summary judgment. The Court previously granted Plaintiff's request for an extension of time to respond to Defendants' motion for summary judgment, which gives Plaintiff until November 17, 2006 to respond to Defendants' motion. (Dkt. # 49). However, Defendants have no objection to an additional extension of time. (Dkt. # 53).

Accordingly, the Clerk shall **re-note** defendant's motion for summary judgment (Dkt. # 38)

ORDER - 1

1 for the court's docket of **December 14, 2006**. Plaintiff's brief and affidavits in opposition to the
2 motion shall be filed and served not later than 4:30 p.m. on the Monday immediately preceding the
3 Friday appointed for consideration of the motion; if plaintiff fails to file and serve timely opposition
4 to the motion, the court may deem any opposition to be without merit. Defendants may file, not
5 later than 4:30 p.m. on the Thursday immediately preceding the Friday designated for consideration
6 of the motion, a response to the opposing party's briefs and affidavits.

7 The Clerk is directed to send copies of this order to plaintiff and counsel for defendants.

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9 DATED this 28th day of September, 2006.

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13 Karen L. Strombom
14 United States Magistrate Judge
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